

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT
DISTRICT OF NH
FILED

2018 FEB -9 A 11:19

Michael Hickey

Plaintiff(s)

v.

COMPLAINT

Megan Brennan
Postmaster General of the United States
United States Postal Service

American Postal Workers Union
Dana Coletti Agent

Defendant(s)

Parties to this Complaint
(boxes will expand as you type)

Plaintiff(s)'s Name, Address and Phone Number

Michael Hickey
2-B Ferry Road
Salisbury MA 01952

Defendant(s)'s Name, Address and Phone Number

Megan Brennan
Postmaster General of the United States
United States Postal Service
475 L'Enfant Plaza SW
Washington DC 20260

American Postal Workers Union
Dana Coletti Agent
450 Hanover Street
Manchester NH 03104

Jurisdiction and Venue:

(Explain why your case is being filed in federal court and why the court is
legally permitted to hear your case. Box will expand as you type.)

1. The matter involves a federal contract and employee rights.

2. The matter involves an amount of over \$75,000
3. The matter involves diversity of jurisdiction.

Statement of Claim

(As briefly as possible, state each claim you have against defendant(s) and state the legal cause of action, facts, and circumstances that gave rise to your claim(s). Box will expand as you type.)

1. The United States Postal Service breached employment contract, Specifically Article 8, of the contract between the United States Postal Service and the American Postal Workers Union by not having an Overtime Desired list posted at the Seabrook NH branch. As the only Full time employee at the office I have missed multiple opportunities at overtime over several years because of the breach.
2. The American Postal Workers Union breached employment contract but not providing me a Duty of Fair Representation because they have refused to file a grievance on my behalf related to the overtime issue. They have also refused to respond to me after several attempts to address the violation of Article 8 of the collective bargaining agreement.

Relief Requested from the Court

(Briefly state exactly what you want the Court to do for you. Box will expand as you type.)

1. Order that the United States Postal Service immediately post an Overtime Desired List at the Seabrook NH Branch in accordance with the collective bargaining agreement.
2. Award damages for the amount of lost overtime, estimated at \$100,000 for violation of the collective bargaining agreement against the United States Postal Service.
3. Award damages against the American Postal Workers Union for amount of lost wages not recovered from the United States Postal Service.
4. Cost and fees related to case.

Jury Demand

- ☐ Check this box if you are requesting a jury trial (if you want a jury of your peers to decide your case).
- ☒ Check this box if you are NOT requesting a jury trial (if you want the assigned judge to decide your case).

Date: February 8 2018

Signature:

Michael Hickey
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